

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

CRIMINAL NO. 1:17-CR-316

v.

(Chief Judge Conner)

WILLIAM M. TYSON,

:

Defendant

:

ORDER

AND NOW, this 11th day of July, 2018, upon consideration of the government's motion (Doc. 40) *in limine* seeking to preclude defendant William M. Tyson ("Tyson") from adducing evidence of the minor victim's sexual history prior or subsequent to the alleged prostitution activities underlying the charged offenses on the grounds that such evidence violates Federal Rule of Evidence 412 and that it is unduly prejudicial, (Doc. 40 at 3; Doc. 41 at 14-16), and the motion having been fully briefed, (Docs. 41, 45), and the court observing that evidence "offered to prove that a victim engaged in other sexual behavior" or to prove a victim's "sexual predisposition" is inadmissible in a proceeding involving alleged sexual misconduct, FED. R. EVID. 412(a), with limited, enumerated exceptions in criminal cases, FED. R. EVID. 412(b)(1)(A)-(C), and the court noting that a party seeking to offer evidence under one of these exceptions must, *inter alia*, file a motion at least fourteen (14) days in advance of trial and therein specifically describe the evidence and state the purpose for which said evidence is offered, FED. R. EVID. 412(c)(1)(A)-(B), and it appearing that Tyson acknowledges the procedures governing introduction of evidence of a victim's sexual behavior and indicates his intent to comply therewith,

(Doc. 45 at 2-3), but the court observing that at present Tyson has not filed a motion in accordance with Rule 412(c) and that less than fourteen (14) days remain until jury selection and trial in this matter, (Doc. 49), it is hereby ORDERED that:

1. The government's motion (Doc. 40) *in limine* is GRANTED.
2. Tyson shall not be permitted to introduce evidence of the minor victim's sexual activity or sexual predisposition prior or subsequent to the offense conduct at issue *sub judice*.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania